

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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May 20, 2003

**FROM:** MARCEL TURNER, Director  
Human Resources

**SUBJECT: APPROVAL OF CONTRACTS FOR LOSS PREVENTION/SAFETY AND AMERICANS  
WITH DISABILITIES ACT INSPECTION, ANALYSIS, AND REVIEW SERVICES**

**RECOMMENDATION:** Approve contracts with six vendors (Common Sense Safety, Inc., Clayton Group Services, ECS Risk Control, Inc., Impact General, Inc., Pacific Health & Safety Consulting, Inc., and Rehabilitation Technology Works) to continue performing supplemental ongoing assessments for California Occupational Safety and Health Administration (CAL/OSHA) and Americans with Disabilities Act (ADA) Title II compliance.

Vendor	Contract no.
Common Sense Safety, Inc.	
Clayton Group Services	
ECS Risk Control, Inc.	
Impact General, Inc.	
Pacific Health & Safety Consulting, Inc.	
Rehabilitation Technology Works	

**BACKGROUND INFORMATION:** On January 1, 2000, new legislation authorized the assessment of monetary penalties against public entities for CAL/OSHA violations and citations. In addition, the County is required to comply with the new CAL/OSHA ergonomic standard, which could result in additional minimum penalties of \$7,000 per non-compliant workstation.

The County is also responsible for compliance, including building modifications stipulated in Title II of the ADA, a federal mandate, specifically identifying physical obstacles that limit accessibility to the County's programs and services or activities for those identified under ADA. Due to this mandate, there is an ongoing need for inspection and monitoring of over 3,000 facilities located over 20,000 square miles, in addition to ensuring compliance of all new construction, remodeling, acquisitions and leases. In order to achieve cost savings and since professionals with dual expertise can perform CAL/OSHA and ADA compliance inspections simultaneously, the RFP also addresses these service needs.

On December 14, 1999, the Board approved the release of an initial RFP for supplemental loss prevention/safety inspections, analysis and review services to avert these potential penalties and proactively avoid and reduce injuries. On April 4, 2000, the Board approved three-year contracts with six vendors to perform these supplemental Safety and ADA services. Since that time, these contractors have provided the following services to the County.

<u>Assessment/Studies</u>		<u>Inspections</u>	
Ergonomic Assessments	303	ADA	110
Mold Studies	7	Head Start	35
Indoor Air Quality Studies	14	Playground	54
Chemical Exposure Studies	10	Facilities	4
Lead Studies			

Record of Action of the Board of Supervisors

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**BOARD OF SUPERVISORS**  
**APPROVAL OF CONTRACTS FOR LOSS PREVENTION/SAFETY AND AMERICANS WITH DISABILITIES**  
**ACT INSPECTION, ANALYSIS, AND REVIEW SERVICES**

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Training

Training classes (119 full days) have been conducted on ergonomics, confined spaces, flagger safety, asbestos awareness, fall protection, chain saw safety, hazardous materials, first response, forklift operation, first aid, and CPR. In addition, contractual staff developed a comprehensive safety and health protocol and program for Sheriff's Narcotics; new sections of the Employee Safety and Health Manual; a complete investigation of the Heaps Peak Transfer facility; and a County fall protection program.

On February 4, 2003, the Board approved a Request for Proposals for continuation of these services. Twenty-seven vendors were notified (six local) and twelve vendors responded. The evaluation committee consisted of Purchasing, County Counsel, and Risk Management Division staff. The evaluation criteria included cost, diversity of services provided, and RFP compliance. The six vendors (one local) selected met all the qualifications and were willing to provide these services at the County's fee schedule rates with no increases over the current rates. The fee schedule is on file with the Clerk of the Board. It is estimated that each vendor will not exceed 1,110 hours of inspection work and 111 hours of supervision/management work for a maximum of \$92,685 per vendor over the three-year contract period.

The contracts are needed so Risk Management can continue to address loss prevention and focus on reinforcing and supplementing existing programs. By utilizing specialty services to augment staff, Risk Management can supplement inspection of County facilities, equipment, and operations for CAL/OSHA and ADA Title II compliance to reduce the costs of claims, accidents, and injuries. Outsourcing this function is the most economic method to achieve compliance with both laws because professionals with dual expertise can simultaneously perform CAL/OSHA and ADA compliance inspections. In addition, there is insufficient staff to perform these services.

The three-year contracts include guaranteed rates per the fee schedule. Through negotiations, Risk Management Division was able to secure this service at same rate of \$75 per hour. Each contract may be terminated by either party with 30 days written notice.

**REVIEW BY OTHERS:** This item has been reviewed by County Counsel (Michael Sachs, Chief Deputy County Counsel) on March 18, 2003 and the County Administrative Office (Daniel R. Kopp, Administrative Analyst) on May 13, 2003.

**FINANCIAL IMPACT:** Total annual costs are estimated to be \$185,370. The following Risk Management internal service sub funds will reimburse costs associated with this program: workers' compensation (IAB); law enforcement liability (IAE); Special Districts liability (IAL); other general liability (IAQ); Special Districts workers' compensation (IAW); Flood Control District liability (IBC); road design liability (IBF); auto liability (IBG); Special Districts auto liability (IBH); Flood Control District auto liability (IBI); and medical malpractice and hospital liability (IAU).

**COST REDUCTION REVIEW:** The County Administrative Office has reviewed this agenda item, concurs with the department's proposal, and recommends this item. Approval of these contracts will enable the County to continue to reduce accidents, injuries, claims, and their subsequent costs.

**SUPERVISORIAL DISTRICTS:** All

**PRESENTER:** Pamela H. Thompson, Risk Manager, 386-8620

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